

MINUTES

COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES

**Holiday Inn-North
2805 Highwoods Blvd., Raleigh, N.C. 27604**

Wednesday, January 18, 2006

Attending:

Commission Members: Pender McElroy, Marvin Swartz, MD, Don Stedman, Ph.D., Floyd McCullouch, Martha Macon, Carl Shantzis, Lois Batton, Dorothy Crawford, Pearl Finch, Fredrica Stell, Emity Moore, Clayton Cone, Ann Forbes, Buren Harrelson, Judy Lewis, Tom Ryba, Connie Mele, Laura Coker, George Jones, Anna Scheyett, Martha Martinat, Mazie Fleetwood, Jerry Ratley, Ellen Russell and William Sims, M.D.

Commission Members Excused: Mary Kelly, Paul Gulley and Ellen Holliman

Ex-Officio Committee Members: Dave Richards and Bob Hedrick

DMH/DD/SAS Staff: Leza Wainwright, Steven Hairston, Flo Stein, Mike Lancaster, M.D., Denise Baker, Stacy Silvia-Overcash, Shelia Bazemore and Vanessa Holman.

Handouts:

Child Residential Treatment Rules Comment Grid

Comments Received on Child Residential Treatment Rules

Call to Order

Pender McElroy, Chairman, called the meeting to order at 2:00 p.m. Mr. McElroy announced that the purpose of this meeting was to hold a Public Hearing on the Level III Group Home Rules (10A NCAC 27G.1301 and .1700). He welcomed all attendees and asked Commission members and Division staff to introduce themselves.

Mr. McElroy announced the passing of Mr. Ben Aiken. A resolution will be drafted in honor of Mr. Aiken and presented for approval at the February Commission meeting.

Public Hearing

Mr. McElroy reviewed the procedure for the Public Hearing. Speakers would be recognized in the order in which their names appeared on the sign-up sheet and each speaker would be given six minutes to speak.

The following speakers were heard:

1. Janet Schanzenbach – N.C. Council of Community Programs
2. Mark Upright – Elida Services/CFSA
3. Carla Roberts – Yahweh Children's Village
4. Becky Fields – F.A.C.T. Specialized Services
5. Delwin Clark – Omega Independent Living Services and NC Association of Residential Treatment Providers
6. Kelly Schofield, M.D. – Youth Quest and NC Association of Residential Treatment Providers
7. Jerry Wright – Serenity Homes
8. Steven Saber – Eckerd Youth Alternatives
9. David Hardesty – Eckerd Youth Alternatives
10. Lynn Oke – Rockwell Developmental Center
11. Rhonda Flowers Corpening – You-Turn Residential
12. Sam Parrish – Achievement Place
13. David Ferrell – Attorney for the NC Association of Residential Treatment Providers
14. Eric Crohn – Alberta Professional Services
15. Chris Jernigan – South Mountain Child and Family Services
16. Laquita Courman – Nu Vision, Inc.
17. Bob Hedrick – NC Community Support Providers Council

The Public Hearing was closed at 5:00 p.m.

At the close of the Public Hearing, the Commission engaged in extended discussion on issues raised in the Public Hearing.

COMMISSION ACTIONS

10A NCAC 27G .1701(c)

Upon motion, second and unanimous vote, the Commission approved revising paragraph (c) of .1701 to change the word "principal" to "primary."

10A NCAC 27G .1704

Upon motion, second and a vote of all members present save one, the Commission approved deleting subsection (a); making subsection (b) subsection (a); renumbering the remaining subsections; and amending what was formerly subsection (b), and is now subsection (a), to read: "A qualified professional shall be available by telephone or page. A direct care staff shall be able to reach the facility within 30 minutes at all times."

10A NCAC 27G .1704(d)(1)

Upon motion, second and vote as shown below, the Commission approved revising subsection (d)(1) (as renumbered) to read as follows: ". . . two direct care staff shall be

present and one awake for one to four children or adolescents and both awake for five to eight children or adolescents;”

Mr. McCullouch requested, and the Chairman directed, that the vote of each member on this issue be recorded. The votes were as follows:

In Favor

Martha Martinant
Pearl Finch
Fredrica Stell
Dorothy Crawford
Lois Batton
Martha Macon
Anna Schyette
Marvin Swartz
William Sims
Judy Lewis
George Jones
Laura Coker
Ann Forbes
Tom Ryba

Opposed

Floyd McCullouch
Emily Moore
Carl Shantzis
Ellen Russell
Clayton Cone
Connie Mele
Buren Harrelson
Mazie Fleetwood
Jerry Ratley

10A NCAC 27G .1705(a)

.1705 was revised to delete “Clinical Certified Supervisor” and insert “Certified Clinical Supervisor.”

ACTION ON ALL RULES

Upon motion, second and unanimous vote, the Commission readopted rules 10 NCAC .1301 and 10 NCAC .1700, as revised in this meeting, to be renumbered as 10A NCAC 27G.1301 and .1700; the Commission Chair was given authority to make technical corrections to those rules in response to comments received from the Rules Review Commission; and, if the “ten letter rule” is invoked by the Rules Review Commission, these rules will become temporary rules on March 1, 2006 and, barring action to the contrary by the General Assembly, become permanent rules on the 31st day of the 2006 legislative session.

There being no further business, the meeting was adjourned at 6:10 p.m.